

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ELPIDIO PANIGUA, *on behalf of himself, FLSA
Collective Plaintiffs and the Class,*

Plaintiff,

-against-

EL BOHIO TROPICAL SQUARE INC. d/b/a EL
BOHIO RESTAURANT, 791 BOHIO
RESTAURANT INC. d/b/a EL NUEVO BOHIO
RESTAURANT, EL BOHIO SABROSO INC.
d/b/a EL NUEVO BOHIO RESTAURANT NO. 2,
FAUSTO HENRIQUEZ, and RAMON
FERNANDEZ,

Defendants.

No. 15-cv-8885

AFFIDAVIT

STATE OF NEW YORK)
)
 ss.:
COUNTY OF NEW YORK)

RAMON FERNANDEZ, being duly sworn deposes and says:

1. I am personally named as a defendant in this action. In addition, I am the owner and/or representative of, El BOHIO TROPICAL SQUARE INC., 791 BOHIO RESTAURANT INC., which are the only remaining corporate defendants in this case. Thus, I speak for all the remaining defendants in this case (hereinafter "Defendants").

2. I submit this affidavit in support of the motion by my current counsel, the Law Offices of Martin E. Restituyo, P.C. and Rodriguez Law, P.C. ("Defendants" Counsel") to withdraw from this action.

3. Defendants' Counsel and I have divergent and irreconcilable views on the appropriate strategy to employ in this litigation, and recent communications have further confirmed the erosion of the attorney-client relationship.

4. I explained that I will not pay for any subsequent legal work that Defendants' Counsel may perform on Defendants' behalf and Defendants' Counsel should not expect to be compensated for work done more recently during the case.

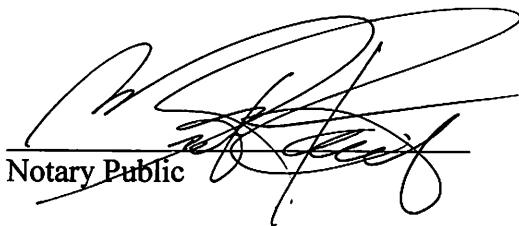
5. Therefore, for the above referenced reasons, I consent to the withdrawal of my current legal counsel.

6. In addition, I request time to find alternate counsel to represent the Defendants in this matter.



Ramon Fernandez, on Behalf of Himself
Individually, and on behalf El Bohio
Tropical Square Inc., 791 Bohio Restaurant
Inc.

Sworn before me this
19th day of December 2016



Notary Public

MARTIN E. RESTITUYO
Notary Public - State of New York
No. 02RE6099432
Qualified in New York County
My Commission Expires March 1, 2020

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JOSE LEONEL HERNANDEZ and YUDELKA GARCIA, on behalf of themselves and all others similarly-situated,

Plaintiffs,
-against-

EL NUEVO BOHIO, INC. and 791 BOHIO RESTAURANT INC. and EL BOHIO TREMONT RESTAURANT, CORP. and TREMONT RESTAURANT CORP. d/b/a "EL BOHIO RESTAURANT" and/or "EL NUEVO BOHIO RESTAURANT", and RAMON FERNANDEZ, individually,

Defendants.

No. 14-CV-652 (VSB)

AFFIDAVIT

STATE OF NEW YORK)
COUNTY OF NEW YORK)
ss.:

RAMON FERNANDEZ, being duly sworn deposes and says:

1. I am personally named as a defendant in this action. In addition, I am the owner and/or representative of all of the remaining defendants in this case. Thus, I speak for all the remaining defendants in this case (hereinafter "Defendants").

2. I submit this affidavit in support of the motion by my current counsel, the Law Offices of Martin E. Restituyo, P.C. and Rodriguez Law, P.C. (“Defendants” Counsel”) to withdraw from this action.

3. Defendants' Counsel and I have divergent and irreconcilable views on the appropriate strategy to employ in this litigation, and recent communications have further confirmed the erosion of the attorney-client relationship.

4. I explained that I will not pay for any subsequent legal work that Defendants' Counsel may perform on Defendants' behalf and Defendants' Counsel should not expect to be compensated for work done more recently during the case.

5. Therefore, for the above referenced reasons, I consent to the withdrawal of my current legal counsel.

6. In addition, I request time to find alternate counsel to represent the Defendants in this matter.



Ramon Fernandez, on Behalf of Himself Individually, and on behalf of 791 Bohio Restaurant, Inc., El Bohio Restaurant, Corp., and Tremont Restaurant Corp.

Sworn before me this
19 th day of December 2016



Notary Public

MARTIN E. RESTITUYO
Notary Public - State of New York
No. 02RE6099432
Qualified in New York County
My Commission Expires March 1, 2020

MARTIN G. RESTITUTION
Nassau Public - State of New York
No. 03REP00003
Granted in New York County
NY Commission on Ethics March 4, 2010